

**STATE OF MAINE  
DEPARTMENT OF MARINE RESOURCES**

**IN THE MATTER OF THE APPLICATION    )  
OF D.E. SALMON COMPANY, INC. FOR    )  
RENEWAL OF AN AQUACULTURE LEASE )  
LOCATED IN EASTERN JOHNSON BAY,    )  
LUBEC, WASHINGTON COUNTY, MAINE    )**

**FINDINGS OF FACT,  
CONCLUSIONS OF LAW AND  
DECISION**

On October 7, 2002, D.E. Salmon Company, Inc. applied for the renewal of an aquaculture lease issued on March 29, 1993. The application requested a ten-year renewal, to March 28, 2013, of a 10-acre pen culture lease located in eastern Johnson Bay, Lubec, Washington County, Maine.

Notice of the application for lease renewal was published in the December 2002 issue of Commercial Fisheries News and the November 22, 2002, and December 13, 2002 issues of the Quoddy Tides newspaper. Members of the public, riparians and interested persons were given to December 22, 2002 to request a hearing on the application for lease renewal. There were no requests for a hearing on this application received by the Department during the comment period.

Applications for aquaculture lease renewals are governed by 12 M.R.S.A. §6072(12) and Chapter 2.45 of the Department's rules, which provide that an aquaculture lease may be renewed unless the lessee has not complied with the original lease agreement during its term, substantially no aquaculture or research has been conducted, the Commissioner finds that it is not in the best interest of the state to renew the lease taking into consideration the potential for conflict with other new or existing uses of the area which the Commissioner determines to be a higher use of the area from the perspective of the public interest, or that the renewal will cause the lessee to be a tenant of any kind in leases covering an aggregate of more than 250 acres.

D.E. Salmon Company has complied with the lease agreement during its ten year term. It has conducted finfish aquaculture on the site. The Finfish Aquaculture Monitoring Program data for the lease site indicates that D.E. Salmon Company is operating the lease site within

acceptable environmental limits. There are no known conflicts with other new or existing uses of the area. Additionally, the renewal of this lease will not cause D.E. Salmon Company to lease more than 250 acres.

### **Decision**

The Commissioner of Marine Resources grants the application of D.E. Salmon Company, Inc., for renewal of the 10-acre aquaculture lease located in Eastern Johnson Bay, Lubec, Maine, for a period of ten years, to March 28, 2013. In the renewal of this lease, D.E. Salmon Company, Inc. is subject to the same terms, conditions, and obligations as set forth in the original lease.

**Dated:** \_\_\_\_\_

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**George D. Lapointe (Commissioner)**  
**Department of Marine Resources**